

UNITED STATES DISTRICT COURT

for the
District of South Carolina

David A. Duren, A human being under protest UCC

1-308/3-305(1)(A) iii

Plaintiff

v.

Joseph McFadden, Warden Lieber C.I.; Daniel
Gourley, Asst. Attorney General,

Defendants

Civil Action No. 1:16-cv-03002-MBS

JUDGMENT IN A CIVIL ACTION

The court has ordered that *(check one)*:

☐ the plaintiff *(name)* _____ recover from the defendant *(name)* _____ the amount of _____ dollars (\$___), which includes prejudgment interest at the rate of ____ %, plus postjudgment interest at the rate of ____ %, along with costs.

☐ the plaintiff recover nothing, the action be dismissed on the merits, and the defendant *(name)* _____ recover costs from the plaintiff *(name)* _____.

☒ other: the plaintiff, David A. Duren, shall take nothing of the defendants, Joseph McFadden and Daniel Gourley, and this action is dismissed without prejudice for failure to prosecute pursuant to Rule 41(b).

This action was *(check one)*:

☐ tried by a jury, the Honorable _____ presiding, and the jury has rendered a verdict.

☐ tried by the Honorable _____ presiding, without a jury and the above decision was reached.

☒ decided by the Margaret B. Seymour, Senior United States District Judge, adopting the Report and Recommendation set forth by the Honorable Shiva V. Hodges, United States Magistrate Judge, which recommended the dismissal of this action without prejudice.

Date: January 19, 2017

ROBIN L. BLUME, CLERK OF COURT

s/M. Walker

Signature of Clerk or Deputy Clerk